

ORIGINAL

CV 19-1957

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

MAR 26 2019

To the Eastern District Court  
of New York

KUNTZ, J.  
BLOOM, M.J.

BROOKLYN OFFICE

Antoaneta Iotova  
Olena Kalichenko  
Issak Almaleh

Plaintiffs

Vs

new case to be  
filed pro se  
Please, expedite  
the request of  
filing and please  
send us the case  
number

Metropolitan Detention Center  
Bureau of prisons  
Department of justice  
Defendants

Complaint  
about sexual assault,  
gender discrimination,  
severe violation of  
constitutional rights  
violation of civil and  
human rights and  
religious rights of the  
Plaintiffs

Your Honors,

① Plaintiffs start this action because  
the institution Metropolitan Detention

Center, Brooklyn, NY, ~~where~~ the Plaintiffs are incarcerated severely violated their civil and constitutional rights, and as a result Plaintiffs suffer serious psychological trauma. Plaintiffs claim that they have been exposed to sexual assault and gender discrimination due to the policy of the institution, which they deem responsible, together with its principal the Bureau of Prisons and Department of Justice, for the conditions they have been exposed.

### Background:

1. Plaintiffs are incarcerated in pretrial facility Metropolitan Detention Center in separate units for men and women. Plaintiff Jotera and Almaleh are wife and husband, and husbands are placed in different units, accordingly separated for men and women.
2. The women's unit consists of approximately 40 women. In this women's unit are placed also men, transgender men, who are actually men by gender. In a unit of 40 or less persons there are 10%

men, transgenders. This severely violates the constitutional and civil rights of all the women and is a form of sex discrimination on the basis of noncompliance with gender stereotypes.

3. The women's unit is a common space, like a summer camp floor with common showers and bathrooms. Women are forced to share the common space, the bathrooms and the showers with the transgender men and to sleep in beds next to their beds. The distance between the beds is 1 foot, meaning the people are sleeping one hand apart, together men and women, but not your legal partner.

4. Plaintiff Totoro from the very beginning was placed in the bed next to a man, where she stayed for a few months. Totoro didn't know from the beginning that the person is a man, because he freely undressed in front of all the girls and slept naked on the top, showing his fake breasts. All the women were undressing also

There, most of them didn't even suspect that that person is a man.

The man has fake boobs so he successfully pretended to be a woman, often showed his boobs in front of everyone and to the security cameras in the unit. He uses also a woman's name to hide his gender, which is not his real name. The same tactics is used by the other transgenders. They were called themselves Tiana, Catherine and Britt, names that are totally different to their men's names from their IDs.

5. The transgender next to Totora was sexually aggressive and seducing. Throwing in the face of all the inmates with his ass all the time. In one occasion holding a long female he was pushing it in her face saying that that was his pussy. The transgender organized his friends all the time to gather around him and seduced them while they were rubbing their pussies with hot bottles. He was openly showing his boobs,

demonstratively squeezing them and screaming "I want dick". It happened right in the face of Tabara, who was placed in the next bed.

It is anticonstitutional sexual harassment that is stimulated by the staff by accommodating in this way the inmates. Not to talk about the big gay community in the jail, individuals from the same gender, but sexually aggressive and seducing the others, stimulating them to join their community. Some of them go to jail just for the purpose to sexually seduce other individuals from the same gender.

The jail is the paradise for these sexually unsatisfied gays and transgenders, who otherwise would have had difficulties to find so big amount of partners.

⑤ 6. The transgender men individuals have men's characteristics of the body, tall height, and strong muscles, big hands and legs, narrow thighs and

all the other men's characteristics. Definitely the body of the transgenders is stronger and most of the times bigger than the woman's. At the same time they are provided in jail with hormones to help them pretend ~~to~~ whatever gender they want, but at the same time these hormones undeniably affect their psych and leading to other problems like gender dysphoria.

7. The above mentioned transgender, who slept next to Tobova for a few months recently, became aggressive to her and started to threaten Tobova because she mistakenly addressed him as him instead of her. He was threatening her by using his men's characteristics as his big hands, which he was clapping in her face, even chasing her in the unit clapping his hands and screaming in her face. "Are you scared, bitch", "stinking mouth", "the devil", often addressing her with "white bitch" by his group of supporters.

8. The same transgender organized his friends, most of them with big bodies and strength, to get rid of Plaintiff Totoro and to put her in "shu", in solitary confinement. For some time Totoro has been bullied for everything she has been doing in the unit, like closing the outside door, changing the t.v. channels and other small things, from the every day life. She has been cursed in Jamaican dialect and has been threatened by screaming loudly in her face to startle her and to scare her that the attack is imminent and the Plaintiff has been thinking that sooner or later she would be punched or stabbed in the face.

9. According to psychological report from LICC, Manhattan, Plaintiff Totoro is not supposed to stay in solitary confinement in "shu". But the said transgender organized his friends to copy her out in the computer, to complain to the staff, advocating

for placing Totoro in "shu." Totoro tried to explain to the personnel of MDC to what bully she has been exposed, but the 99% black personnel of Metropolitan Detention Center, Brooklyn, sympathized with the black transgender and his black friends, and finally put her in "shu".

10. Plaintiff Totoro has been kept in "shu" for 15 days, that is the limit time, after which staying there is considered torture, according to the international laws. Not complying with the international rules and practices, the personnel of MDC places people in "shu" for a month, 3, 6 or more months. The personnel didn't care about Totoro's psychological condition, or doctor's recommendations about the consequences that could have aggravated severely her condition. The personnel just joined the bully and the discrimination Totoro has been exposed the entire time in MDC.

11. In "shu" Totoro was not provided with any help. She was kept



without heat in the winter and without proper food. Three times in a row she has been served for lunch peanut butter, to which Totoro is allergic. Together that she was kept cold and hungry, she had no connection with the outside world. She had no communication with her lawyer or her contacts. Telephone call to her lawyer has been denied to her. Actually nobody knew where she was, because nobody could find her there, even her attorney.

12. The "shu" conditions are worst than a scary movie. To a white, educated and intelligent woman, who is not sentenced or violent, this punishment for Totoro is exceptionally traumatic and is unconstitutional, because it doesn't correspond or is not consistent with the allegations even. Totoro has never seen anything like that in her life.

The people in "shu" are treated like animals and slaves. The personnel of MDC is pleased to place more people there to sadistically

harasse them and humiliate them. The food is served through a small hole in the door, going to the showers is done in shackles with chains on the legs and the hands. The air in the "shu" is coming through a small hole in the wall, and it smelled of smoke because of the fire in the men's unit at that time.

13. The personnel of the unit refused to provide any reason why Plaintiff Tabora was placed in "shu" that deprived her of any constitutional right of due process of the law. Tabora tried to find out why by filing BOP forms for administrative remedy 08, 09 and 10, but even after that the personnel refused to provide a reason for placing Tabora in "shu". Actually the personnel has been placing people in "shu" without reason, just for the fun of exercising their power on the inmates, especially their superiority over the 'unprotected victims', who can't do anything to defend themselves, because the system for complaints doesn't work at

all and even appreciates the condition of the inmates. The "shu" is also used as instrument of discrimination in the hands of 99% black personnel and instrument of establishing power and importance. Being in "shu" deteriorated enormously the psychological condition of Plaintiff Jotova.

14. Returning to the unit from the "shu", there have been placed two more transgenders men. The situation in the unit could be described as Sodom and Gomorrah. The above mentioned transgender continued to show constantly his boobs, including at the fence to the men's unit, flashing and twinking his ass in the face of the women.

The transgenders were entering in the beds of the women, kissing, hugging and massaging them, secretly watching them undressing and actually actively stimulating active sex activity. Both women Plaintiffs are not aware what else has been done in the night hours, but the transgenders have been noticed in numerous occasions

together in the beds of the women.

15. The Transgenders had constantly sexually abusive and seductive behaviour. In any possible way they have been trying to show their plastic boobs, staying without bras all the time, protruding nipples with tight shirts and pants. Sitting demonstratively against the women with open legs the Plaintiffs noticed that one of the Transgenders is excited, aroused looking inside his pants, later he has been noticed in the bed of another woman.

16. The personnel of MDC always supported this group of men and the LGBT group in the women's unit. The personnel was siding always with the rights of the Transgenders, abusing the constitutional rights of the women. Any gender rights have been abused and the women were exposed to sex discrimination on the basis of non compliance with gender stereotypes.

17. Plaintiff Kalichenko was exposed to additional sexual assault by the personnel. During

an entire year she used to work with the food service department and all the females that worked there were subjected to group strip searches on a regular basis. Here is how she described the first time she whole procedure to her lawyer:

"... almost every single day we come back from work we have to go through strip search which is an extremely humiliating procedure, today we had to go through it again. I wanted to refuse and asked to be checked by the xray machine which is available and operating, but the officer Doris Evans refused me. She insisted that I go through strip search in front of 5 other women, who were there with me so I had to look at other women naked, despite of my will, and I was exposed to the same shame against my will as well. Further more the officer in a very humiliating way made me take off my boots which were extremely dirty and using the same hands to pull with hands the upper lip of my mouth and the lower one, not caring that I may catch a disease, then

squat and cough again being  
naked, lift up the breasts, etc...  
When I objected and told her that  
I don't want to see another woman  
naked or to be seen by another  
woman naked, the officer started  
to be extremely rude, threatening  
to call the warden and her personally  
to strip search us, and claimed we  
had no rights and they can expose  
us to insulting strip search every  
day anytime they want without  
any explanation... I was crying all  
night... and the day they did it  
before I couldn't work at all and  
cried all the time. Everybody from  
the team saw me crying... I really  
feel I can't go through this  
procedure anymore. I am sick  
and tired of their crimes and their  
violating basic human rights  
and can't take this anymore. They  
didn't do it once or twice, they make  
us go through it almost every day.  
We come back from work and we  
work 5 days a week, the experience  
we are going through is very  
damaging for female psychology,  
it feels like you were raped.  
I have suffered a tremendous  
trauma from this experience and

was never offered absolutely no help. I never understood why should I take off my clothes off in front of all these women? Why should I spread my boko and show it to everybody? Why should I let my breasts and expose them to everybody?

18. Plaintiff Kalichenko is a white woman from Eastern Europe from conservative Christian religious family. Recently, in December 2018 going to Court she had to meet the same abusive officer Don Evans again!! She forced all the women who were waiting in the holding cell (6 of them) to strip in front of each other again. When Kalichenko refused she was laughing and just ignored her because the officers are unpunished and untouchable no matter what they do.

19. The experience for Plaintiff Kalichenko has been so devastating, ugly and humiliating that for some time the Plaintiff



has been thinking of a suicide. Complaining to the staff about the sexual harassment, she has been placed again in "shu", where are placed also people with suicidal thoughts. How this place could have helped these people, is another question. The "shu" and the humiliating experience caused hard trauma to Plaintiff Kalichenko. Instead to address the issues, the personnel of JEDC is trying first, to hide the situation, and then, to aggravate the condition of the person to the extent that he would not complain any further.

20. The appearance of the second group of transgenders sexually aggressive men in the women's unit, shocked the two women Plaintiffs so much, that they decided to complain through the institutional channels, from 09 to 11. Nobody responded adequately to their complaints.

21. The public strip and search continues till now in the institution JEDC and affects all the Plaintiffs,



and all the inmates. The officers are watching the women's passes and thoroughly search in every hole of their bodies. The extent of this procedure is so wide that the officers are even watching the women sitting on the toilet together with them inside the toilet. This is severe violation of the constitutional right of body privacy, that is absolutely reflected in MDC, Brooklyn, it is also violation of the civil and the human rights of the inmates, and it is considered regular procedure.

22. Plaintiff Tabora asked in one occasion the officer on duty, Mrs. Spivy, to go to the bathroom to put her bra, because men are coming to the unit for count and Tabora didn't want her breast to be obviously seen through the t-shirt. The officer didn't allow Tabora to go to the bathroom or to move from her spot next to her bed and held her: "You can put your bra here, we are all women!!!" The officer even wanted to put Tabora in "shu"

for disturbing the recall order by asking to go to the bathroom. In recall order the inmates have to stay in the bed area close to their beds, but that doesn't prevent them to go to the bathroom. Mrs. Totova was kept for half an hour without the officer to allow her to visit the bathroom.

23. The husband of Mrs. Totova, Mr. Almaleh, the third Plaintiff, who is also incarcerated in MDC, Brooklyn, but separate from his wife in another unit, realized later that Totova was in "shu". The two Plaintiffs lost any form of communication with anyone and between them due to problems in MDC in connection with the fire. Totova was placed in "shu" against all the rules and regulations of MDC and against the doctors' report about Totova. She was kept without even communication with her lawyer or her doctor, against all human rights. Almaleh couldn't do much to help her even if he had been informed,

because he himself was locked 24 h a day in a cell in the men's unit with a gay man. The staff didn't allow anybody to exit the cells for 10 days because of the accident with the fire. 10 days the men's unit was kept locked in the cells, the food supply was done once a day dry food like a pack of "bolonia" or tuna fish. The inadequate measures of the staff in the jail caused a severe violations of the constitutional and the civil rights of the men inmates. This affected also the women department, where the supply of food was irregular dry food and the communications in the entire building have been cut for 10 days. All the inmates have been disconnected from anyone, deprived of telephones and computers, without visitations with the lawyers and without social visits. In the men's unit even the electricity had been cutoff. In this dark cave condition the men stayed for 10 days.

Medications have been irregularly provided, if at all provided, food has been served dry, unprepared, if at all served, and the heat has been entirely shut off in the month of February in New York City. The inmates in the whole building have been treated like animals, and even worse, because the animal protection organization would have done the problem if it had happened to the animals, but they said these Plaintiffs couldn't find even 1 attorney in the whole USA to defend their human rights, at least the right to be fed when are locked like stock.

24. As a highly religious Jewish person with conservative traditions from Eastern Europe, the family of Almaleh and Iotova has been exposed the whole time in jail to extreme antisemitism and discrimination from the 99% black personnel in the jail. Iotova and Almaleh are also both politicians from the Republican Party, Florida,

confronted in MDC, Brooklyn with the 99% supporters of the Democratic Party, who were highly hostile and abusive to the Plaintiffs. Almaleh was informed about the transgender situation in the women's unit later from her attorney. While he is separated from his wife and can't protect her, her honor and dignity has been abused and humiliated, and she has been physically threatened by another man. Tabora was forced to sleep with these men in the unit, to undress there, to share bathrooms and showers with them, to be constantly bullied by the staff, who always sided with the transgenders. This is abuse to the belief of the family, abuse of their religious rights, women rights, constitutional rights, it is against morality and normal human behaviour. The personnel of MDC, Brooklyn has lost any kind of humanity and respect to the humans. They have lost any kind of humanity decency and have turned the women's

unit into a whore house.

For the reasons above, for the severe violations constitutional rights, gender discrimination, violation of human and civil rights, religious rights, and sexual abuse and assault, Plaintiffs ask the Honorable Court for a decision as follows:

1. For the sexual bully and assault, psychological trauma and violation of civil and constitutional rights Plaintiff Tobova asks for 10 million dollars compensatory and punitive relief from the defendants, plus the legal interest from the day of the filing of this Complaint.
2. For the sexual bully and assault, psychological trauma and violation of civil and constitutional rights Plaintiff Kalichenko asks for 10 million dollars compensatory and punitive relief from the Defendants, plus the legal interest from the day of the filing of this Complaint.
3. For violation of constitutional

and civil rights, abuse of family honor and respect, abuse of religious rights, slander of name, violation of any moral or ethics norms. Plaintiff Almaleh asks for 10 million dollars compensatory and punitive relief from the Defendants, plus the legal interest from the day of the filing of this Complaint.

Please, your Honors, don't allow the anticonstitutional acts of BOP staff members to be left unpunished. All the acts of the officers in this Complaint are committed during their duties as officers of the Bureau of Prisons and Department of Justice of the USA. Plaintiffs ask for justice.

03/20/19

Signature: <sup>①</sup> A. Totoles  
I Almaleh Almaleh  
Olga Korichenko *[Signature]*

Metropolitan Detention Center

Antoaneta Totova 15570104

Olena Kalichenko 85278053

Issak Almaleh 15569104

P.O. B 329002

Brooklyn, NY 11232



★ APR 01 2019 ★

BROOKLYN OFFICE

To the Eastern District Court of NY

from Antoineta Iobro  
Olena Kalcheuko  
Issar Almaleh  
Plaintiffs

KUNTZ, J.

BLOOM, M.J.

CV 19-1957

Vs

MDCC, Brooklyn

BOP

Department of Justice

Defendants

Petition for information

Dear Sir,

The above Plaintiffs are for information about the docket number of their complaint for sexual assault and violation of civil and Constitutional rights. They again make a petition for the Honorable Court to provide them with an attorney for the said complaint. Please, for expedite information about the docket number of the complaint.

03/28/19

Signature of J. Kuntz

Metropolitan Detention Center

Antoaneta Totova 15570104

Olena Kalichenko 85278053

Issak Almalakh 15569104

P.O.B. 329002

Brooklyn, NY 11232

ORIGINAL

CV 19-1957

To the Eastern District of NY Court

Antoaneta Totora

KUNTZ, J.

Issac Almaleh

BLOOM, M.J.

Olena Kalichenko

new case

Plaintiffs

V/S

Metropolitan Detention Center

Bureau of prisons

Department of Justice

Defendants

Motion to proceed  
in forma pauperis

Your Honors,

Plaintiffs ask to be granted to all  
of them forma pauperis status  
because they are incarcerated Plaintiffs,  
have no money or assets what-  
soever to cover the filing fee  
or the expenses of the proceedings.

Signature: A. Totora

03/20/19

A. Totora  
Issac Almaleh

Olena Kalichenko

ORIGINAL

STUDY

ORIGINAL

CV 19-1957

To the Eastern District of NY KUNTZ, J.

from Plaintiffs

BLOOM, M.J.

Antoaneta Totova MDL, Brooklyn  
Olena Kalichenko v/s BDB  
Issak Almaleh Department of Justice  
Plaintiffs Defendants

Your Honors,

Please register this new case  
affucked Complaint from the  
above plaintiffs pro se. Plaintiffs  
ask the Honorable Court to provide  
them an attorney because it is  
a case of civil rights and consti-  
tutional rights and all the Plaintiffs  
are incarcerated and have no  
channel or resources to provide  
one for themselves. Plaintiffs also  
ask the case to be assigned for  
trial cases and they refuse  
Magistrate Judge.

03/20/19

Signature of Antoaneta Totova  
Kalenchenko  
(3) (Almaleh)

Metropolitan Detention Center

Antoaneta Totova 155 70104

Olena Kalichenko 852 78053

Issak Almaleh 155 69104

P.O. B 329002, Brooklyn, NY 11231

ORIGINAL

1. STRUK